

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Scott Lawrence Simmons,

File No. 21-cv-695 (ECT/KMM)

Plaintiff,

v.

**ORDER**

Clerk of Appellate Courts and Dakota  
County District Court,

Defendants.

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Magistrate Judge Katherine M. Menendez issued a Report and Recommendation on March 22, 2021. ECF No. 3. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation [ECF No. 3] is **ACCEPTED**;
2. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B); and
3. Plaintiff's application to proceed *in forma pauperis* [ECF No. 2] is **DENIED AS MOOT**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 10, 2021

s/ Eric C. Tostrud

Eric C. Tostrud  
United States District Court